

**TOWNSHIP OF ROSS  
COUNTY OF KALAMAZOO, STATE OF MICHIGAN**

**NOTICE OF ORDINANCE ADOPTION**

To: The Residents and Property Owners of Ross Township, Kalamazoo County, Michigan, and Any Other Interested Persons:

**PLEASE TAKE NOTICE** that at a meeting of the Township Board held on July 24, 2018, the Board adopted the following Ordinance:

**TOWNSHIP OF ROSS  
COUNTY OF KALAMAZOO, STATE OF MICHIGAN**

**ROSS TOWNSHIP ORDINANCE NO. 211**

**ADOPTED: JULY 24, 2018**

**EFFECTIVE: EIGHT DAYS FOLLOWING  
PUBLICATION AFTER ADOPTION**

**ZONING ORDINANCE TEXT AMENDMENTS**

An Ordinance to repeal various amendments to the Ross Township Zoning Ordinance; to provide for severability; and to provide an effective date and repeal all Ordinances or parts of Ordinances in conflict herewith.

**TOWNSHIP OF ROSS  
KALAMAZOO COUNTY, MICHIGAN**

**ORDAINS:**

**SECTION I**

**ELIMINATION OF ARTICLE 2, SECTION 2.2, DEFINITION OF COMMERCIAL  
MEDICAL MARIHUANA FACILITY**

The following language of Article 2, Section 2.2, regarding Commercial Medical Marihuana Facility is stricken:

Commercial Medical Marihuana Facility (or Facility): The term may include any of the following:

1. Grower Facility, as that term is defined in the Medical Marihuana Facilities Licensing Act (MMFLA) and authorized by Ordinance No. 205.
2. Processor Facility, as that term is defined in the MMFLA and authorized by Ordinance No. 205.
3. Safety Compliance Facility, as that term is defined in the MMFLA and authorized by Ordinance No. 205.
4. Secure Transporter Facility, as that term is defined in the MMFLA and authorized by Ordinance No. 205.

## **SECTION II**

### **ELIMINATION OF ARTICLE 4, SECTION 4.3 REGARDING SPECIAL LAND USES FOR GROWER FACILITY AND PROCESSOR FACILITY**

The following language of Article 4, Section 4.3 of the Ross Township Zoning Ordinance regarding Special Land Uses is stricken:

- L. Grower Facility – Class A, Class B and Class C.
- M. Processor Facility, when located on the same site as a Grower Facility.

## **SECTION III**

### **ELIMINATION OF ARTICLE 5, SECTION 5.3, REGARDING SPECIAL LAND USES FOR GROWER FACILITY AND PROCESSOR FACILITY**

The following language of Article 5, Section 5.3 of the Ross Township Zoning Ordinance regarding Special Land Uses is hereby stricken:

- V. Grower Facility – Class A, Class B and Class C.
- W. Processor Facility, when located on the same site as a Grower Facility.

#### SECTION IV

#### ELIMINATION OF ARTICLE 12, I-R RESTRICTED INDUSTRIAL DISTRICT, SECTION 12.3, REGARDING SPECIAL LAND USES FOR COMMERCIAL MEDICAL MARIHUANA FACILITIES

The following language of Article 12, I-R Restricted Industrial District, Section 12.3 of the Ross Township Zoning Ordinance regarding special land uses is hereby stricken:

- D. Grower Facility – Class A, Class B and Class C.
- E. Processor Facility.
- F. Safety Compliance Facility.
- G. Secure Transporter Facility.

#### SECTION V

#### ELIMINATION OF ARTICLE 20, STANDARDS REQUIRED OF SPECIAL LAND USES REGARDING COMMERCIAL MEDICAL MARIHUANA FACILITIES

The following language of Article 20 regarding the Standards Required of Special Land Uses, of the Ross Township Zoning Ordinance is stricken:

#### SPECIAL LAND USE

#### MINIMUM REQUIRED STANDARDS

Commercial Medical Marihuana Facility

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#### SECTION VI

#### ELIMINATION OF ARTICLE 20, ITEM 36 – STANDARDS REQUIRED OF SPECIAL LAND USES FOR COMMERCIAL MEDICAL MARIHUANA FACILITIES

The following language of Article 20, Item 36 regarding the Standards Required of Special Land Uses, of the Ross Township Zoning Ordinance is stricken:

Item 36. Commercial Medical Marihuana Facilities



- A. A Commercial Medical Marihuana Facility may be authorized to operate within the Township by the holder of a state operating license, pursuant to PA 281 of 2016, as may be amended, the Rules promulgated thereunder, and all applicable local ordinances.
- B. No Commercial Medical Marihuana Facility shall be located within 500 feet of any school or public park/playground, with the minimum distance between uses measured between the Facility and the nearest property line of the school or public park/playground.
- C. Outdoor trash containers or dumpsters may be required to control the disposal of waste or by-products from any facility operation. When required, an outdoor trash container or dumpster shall be subject to the follows:
  - 1. The placement of the container shall be subject to site plan review.
  - 2. Adequate vehicular access shall be provided to the container which does not conflict with the use of the parking areas or access drives.
  - 3. All containers shall rest on a concrete pad.
  - 4. A solid ornamental screening wall or fence shall be provided around all sides of the container and shall include an access gate. The screening wall or fence and gate shall be of sufficient height to completely screen the container.
  - 5. The container, screening wall or fence, and gate shall be maintained in a neat and orderly manner, free from debris.
- D. A Commercial Medical Marihuana Facility shall be reviewed in consideration of the following:
  - 1. Lighting – the placement and arrangement of outdoor lighting serving the facility shall provide adequate security and comply with the purpose, objectives and standards set forth in Section 18.3 – Outdoor Lighting.
  - 2. Noise – Noise and vibrations shall be minimized in their effect upon the surrounding area by the utilization of modern equipment designed to accomplish such minimization and the use of walls and vegetative buffers/screens.

3. Odor – Odor shall be minimized in its effect upon the surrounding area by the utilization of a modern odor control system designed to accomplish such minimization and operational procedures.
4. Environmental – Information on the storage and use of products, water and energy consumption, and waste disposal associated with a facility will be required to allow for an assessment of potential impacts on the site and surrounding area and the applicability of state and local regulations.
5. Traffic – A facility shall be located in consideration of the ingress/egress, loading and travel patterns of the traffic associated with the operation of the facility, with specific attention toward avoiding the creation of traffic through a predominately residential area.
6. Security – Security measures, such as fencing, access controls, and video surveillance, will be considered in determining the ability of the facility to adequately provide for public safety.
7. Impact on Neighboring Property – Barriers and/or buffers, facility separations, and/or operational requirements may be applied to minimize identified injurious or annoying impacts on surrounding properties.

#### **SECTION VII** **SEVERABILITY**

The provisions of this Ordinance are hereby declared to be severable and if any clause, sentence, word, section or provision hereof is declared void of unenforceable for any reason, by any court of competent jurisdiction, it shall not affect any portion of the Ordinance other than said part or portion thereof.

#### **SECTION VIII** **EFFECTIVE DATE AND REPEAL**

This Ordinance shall take effect eight (8) days after publication after adoption. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**PLEASE TAKE FURTHER NOTICE** that the full text of the above Ordinance has been posted in the office of the Ross Township Clerk at the address set forth below; on the Ross Township website at <http://www.ross-township.us/public-notices.html>; and that copies of the Ordinance may be purchased or inspected at the office of the Ross Township Clerk during regular business hours of regular working days following the date of this publication.

ROSS TOWNSHIP  
Norm Kellogg, Clerk  
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Richland, MI 49083  
(269) 731-4888